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E-FILED - 7/8/09

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GOOGLE INC., AOL LLC, YAHOO! INC.,
IAC SEARCH & MEDIA, INC., and
LYCOS, INC.,

Plaintiffs,

v.

L. DANIEL EGGER, SOFTWARE RIGHTS
ARCHIVE, LLC, and SITE
TECHNOLOGIES, INC.,

Defendants.

Case No. C-08-03172-RMW

**STIPULATION AND []
ORDER FOR CONTINUANCE OF
HEARING AND BRIEFING
SCHEDULE ON DEFENDANTS'
MOTION TO DISMISS, TRANSFER,
OR STAY AND PLAINTIFFS'
MOTION TO STRIKE SITE
TECHNOLOGIES, INC.'S MOTION
TO DISMISS, TRANSFER, OR STAY**

Date: August 21, 2009

Time: 9:00 AM

Courtroom: 6, 4th Floor

Judge: Honorable Ronald M. Whyte

WHEREAS Defendants' Motion to Dismiss, Transfer or Stay Under the First-To-File Rule, Under Rule 12(b)(2) For Lack of Personal Jurisdiction, and Under Rule 12(b)(1) For Lack of Subject Matter Jurisdiction (Dkt. No. 42) (hereinafter "Defendants' Motion to Dismiss, Transfer or Stay") and Plaintiffs' Motion to Strike Site Technologies, Inc.'s Motion to Dismiss, Transfer, or Stay (Dkt. No. 64) are currently set to be heard on July 31, 2009 at 9:00 a.m.;

WHEREAS the parties wish to continue the hearing on both of these motions until August 21, 2009 at 9:00 a.m. and to continue the deadlines for their opposition papers until July 24, 2009 and the deadlines for their reply papers to August 7, 2009 in order to complete certain discovery in connection with these motions;

WHEREAS Plaintiffs believe that eight additional pages are necessary for them to fully brief the many issues presented by Defendants' Motion to Dismiss, Transfer or Stay, and Defendants do not object to the additional page allowance. The parties also agree that Defendants should receive a reciprocal allowance of eight additional pages for their reply brief in support of their Motion to Dismiss, Transfer, or Stay, if needed;¹

WHEREAS allowing the parties to submit the additional pages will not unduly burden the parties or the Court;

THEREFORE THE PARTIES HEREBY STIPULATE, subject to the Court's order, that Plaintiffs' Opposition to Defendants' Motion to Dismiss, Transfer, or Stay, and Defendants' Opposition to Plaintiffs' Motion to Strike will be heard on August 21, 2009. The Parties' opposition papers relating to these motions will be due July 24, 2009. Both parties' reply papers in support of their respective motions will be due August 7, 2009.

Plaintiffs may file a brief in opposition to Defendants' Motion to Dismiss, Transfer or Stay that contains eight additional pages of text in excess of the page limit set forth in Civil Local Rule 7-4. Defendants may likewise file a reply brief in Support of Defendants' Motion to

¹ On April 30, 2009, the parties filed a stipulation and proposed order (Dkt. No. 109) requesting leave for Plaintiffs to submit eight additional pages of briefing for Plaintiffs' Opposition to Defendants' Motion to Dismiss, Transfer or Stay and eight additional pages of briefing for Defendants' Reply brief in support. The order has not yet been entered, however.

Dismiss, Transfer or Stay containing eight additional pages of text in excess of the page limit set forth in Civil Local Rule 7-4.

Dated: July 7, 2009

Respectfully submitted,

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DECLARATION OF CONSENT

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from the above-listed counsel.

Dated: July 7, 2009

/s/ Richard S. J. Hung
Richard S. J. Hung

ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that Plaintiffs' Opposition to Defendants' Motion to Dismiss, Transfer, or Stay (Dkt. No 42), and Defendants' Opposition to Plaintiffs' Motion to Strike (Dkt. No. 64) will be heard on August 21, 2009 at 9:00 a.m. The parties' opposition papers relating to these motions will be due July 24, 2009. Both parties' reply papers in support of their respective motions will be due August 7, 2009.

Additionally, Plaintiffs' Opposition to Defendants' Motion to Dismiss, Transfer, or Stay may contain eight additional pages of text in excess of the page limit set forth in Civil Local Rule 7-4. Likewise, Defendants' Reply in Support of their Motion to Dismiss, Transfer or Stay may contain eight additional pages of text in excess of the page limit set forth in Civil Local Rule 7-4.

Dated: 7/8/09, 2009



Hon. Ronald M. Whyte
United States District Judge